

This document was prepared by:  
Herbert W.A. Thiele, County Attorney  
Leon County Attorney's Office  
301 South Monroe Street, Room 217  
Tallahassee, Florida 32301

### **DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS DECLARATION OF COVENANTS AND RESTRICTIONS (this "Declaration") is made and executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2004, by Leon County, Florida, a political subdivision of the State of Florida, whose address is 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Declarant."

#### **W I T N E S S E T H:**

WHEREAS the Declarant is developing a parcel of property described in Exhibit A, attached hereto (the "Property"); and,

WHEREAS, the Declarant desires to establish a conservation area on the Property, as indicated on Exhibit A; and

WHEREAS, the Declarant desires to impose upon the conservation area certain covenants and restrictions.

NOW, THEREFORE, in consideration of the hereinabove set forth premises, the hereinafter set forth terms and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant hereby declares that the Property shall be held, sold, and conveyed subject to the following covenants, conditions and restrictions which shall run with the Property and be binding on all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof:

Declarant hereby establishes a perpetual Conservation Area, which shall be maintained in like fashion to conservation easements in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A," which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this conservation area:

- a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
- b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
- c. Removal or destruction of trees, shrubs, or other vegetation.
- d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface.
- e. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
- f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
- g. Acts or uses detrimental to such retention of land or water areas.
- h. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.
- i. For this project, disturbance in part of the Conservation Area is allowed in accordance with the approved site plan.

IN WITNESS WHEREOF, Leon County, Florida, has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair of said Board, the day and year aforesaid.

LEON COUNTY, FLORIDA

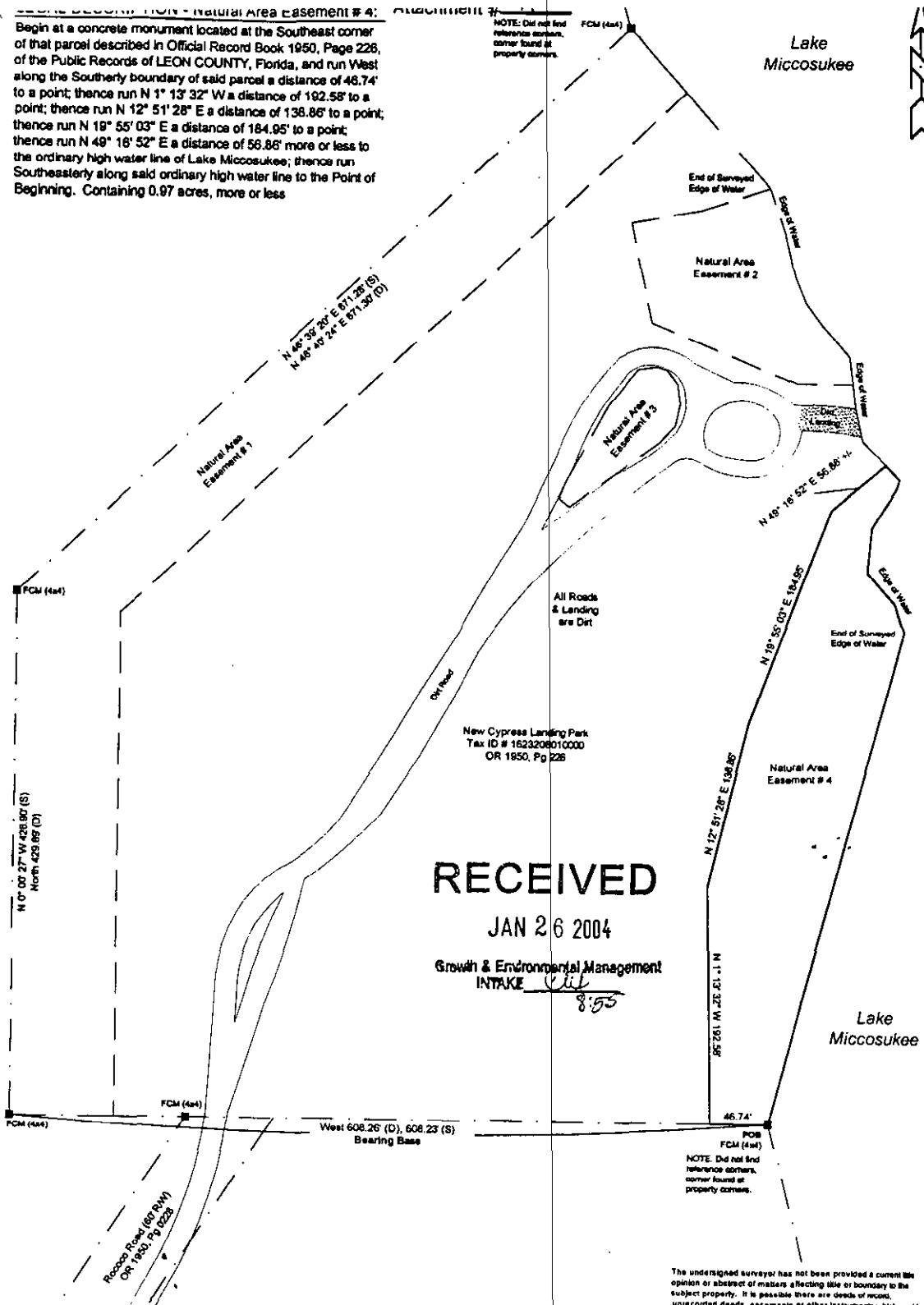
BY: \_\_\_\_\_

JANE G. SAULS, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

ATTEST: BOB INZER, CLERK  
LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
BOB INZER, CLERK

**Sketch of Description - Natural Area Easement #4:**  
Begin at a concrete monument located at the Southeast corner of that parcel described in Official Record Book 1950, Page 226, of the Public Records of LEON COUNTY, Florida, and run West along the Southerly boundary of said parcel a distance of 46.74' to a point; thence run N 1° 13' 32" W a distance of 192.58' to a point; thence run N 1° 13' 32" W a distance of 138.86' to a point; thence run N 18° 55' 03" E a distance of 184.95' to a point; thence run N 48° 18' 52" E a distance of 56.86' more or less to the ordinary high water line of Lake Miccosukee; thence run Southeasterly along said ordinary high water line to the Point of Beginning. Containing 0.97 acres, more or less.



The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, easements or other instruments which could affect the boundaries.

I hereby certify this survey to be a true and accurate representation of the property shown herein and was made under my direct supervision and control. This survey meets minimum technical standards as established by Chapter 610-17 of the Florida Administrative Code.

Date 10/2/03 Bear H.E.H.  
Signed H.E.H. Not valid without the signature and the original seal of a Florida licensed surveyor and mapper.

Henry E. Harrell  
Professional Surveyor and Mapper  
Florida Certificate No.: 4154

**NOTES:**  
( ) Encroachments as shown if any.  
( ) All measurements are in U.S. Feet.  
( ) No underground foundations located.  
( ) No improvements located other than shown.  
( ) The Survey does not reflect or determine ownership.  
THIS IS NOT A BOUNDARY SURVEY.

**LEGEND:**  
F = RADIAL  
Δ = CENTRAL ANGLE  
L = ARC LENGTH  
TIN = TOWNSHIP 1 NORTH  
TRN = TOWNSHIP 1 SOUTH  
D = SET IRON ROD & CAP IRON LB MM (SRC)  
Δ = SET NAIL AND CAP IRON MM (MAC)  
B = FOUND CONCRETE MONUMENT (FCM)  
C = FOUND IRON ROD & CAP (FRC)  
W = FOUND IRON PIPE (FPI)  
& = FOUND NAIL AND CAP (FNC)  
PRM = PERMANENT REFERENCE MONUMENT  
FTCM = FOUND TERRA COTTA MONUMENT

DNF = DID NOT FIND  
PFS = PICTURE FRAME  
(P) = PLAT  
(O) = DEED  
(C) = SURVEY DATA  
(I) = CALCULATED DATA  
(R) = RECORD DATA  
TYP = TYPICAL  
FF = FARM FENCE  
CONC = CONCRETE

P.O.B = POINT OF BEGINNING  
P.C = POINT OF COMMENCEMENT  
PL = PLAT BOOK  
P.B = PAGE  
O.R = OFFICIAL RECORD  
R.M = RIGHT OF WAY  
R.H = RIGHT HANDBAR  
E.P = EDGE OF PAVEMENT  
E.H.E = END HEAD ELECTRIC  
C.C.D = CONCRETE CURB AND GUTTER  
C.D.V = CONCRETE DRIVEWAY  
C.U.F = CHAIN LINK FENCE  
W.M = WOOD PRIVACY FENCE  
W.C = WOOD CONCRETE FENCE  
B.W.F = BARBED WIRE FENCE

Approved E.H.H. Date 10/2/03  
Not valid without the signature and the original seal of a Florida licensed surveyor and mapper.

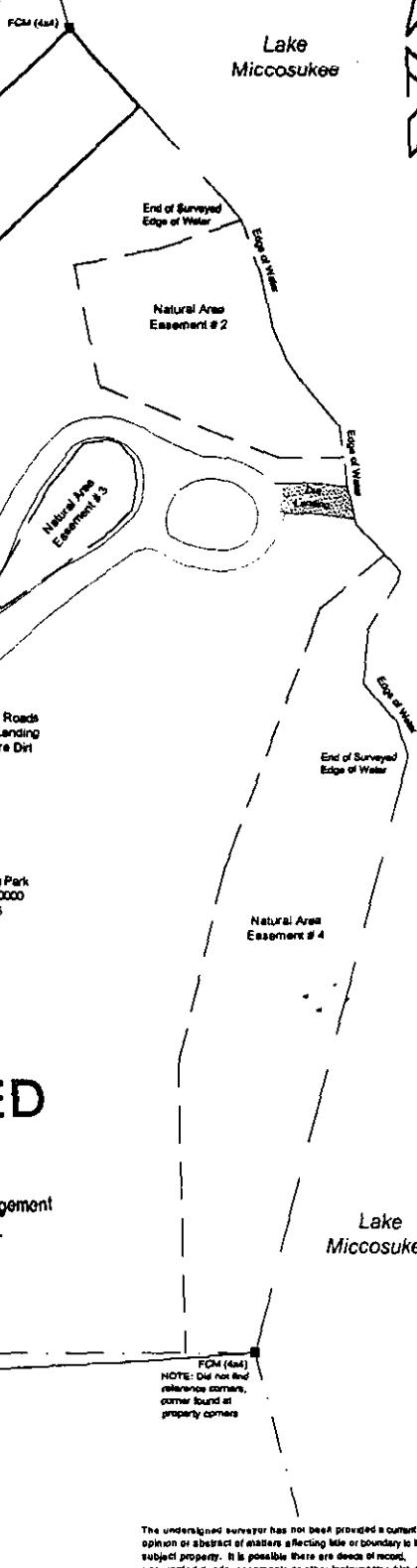
Henry E. Harrell  
Professional Surveyor and Mapper  
Florida Certificate No.: 4154

Served For and Visited To: Leon County Recreation and Parks		SPECTRA ENGINEERING & RESEARCH, INC.					
Sketch of Description		CIVIL • ENVIRONMENTAL • PLANNING • LAND SURVEYING					
New Cypress Landing, Rocco Road Tallahassee, Leon County, Florida		345 S. Magnolia Drive, Suite E-25 • Tallahassee, Florida 32301 • (850)656-9834 FAX (850)942-2717					
Drawn By: H.E.H.	Certificate of Authorization No. 5698	Field Date: <u>/ /00</u>	Job No.: <u>02235E-4</u>	Scale: <u>1" = 100'</u>	Sheet No.: <u>1 OF 1</u>		
Drawn Chief: G.P.		Field Book <u>Page</u>					

**LEGAL DESCRIPTION - Natural Area Easement # 1:**  
 Begin at a concrete monument located at the Southwest corner of that parcel described in Official Record Book 1950, Page 226, of the Public Records of LEON COUNTY, Florida, and run N 0° 00' 27" W along the Westerly boundary of said parcel 428.50' to a concrete monument; thence run N 46° 39' 20" E along the Northwestern boundary of said parcel 671.28' to a concrete monument on the ordinary high water line of Lake Miccosukee; thence run Southeasterly along the said ordinary high water line to a point; thence run S 46° 39' 20" W and parallel to said Northwestern boundary 619.55' more or less to a point; thence run S 0° 00' 27" W and parallel to said Westerly boundary 412.62' to a point on the Southerly boundary of said parcel; thence run West along said Southerly boundary 83.07' to the Point of Beginning. Containing 1.82 acres, more or less

Attachment #

NOTE: Did not find reference corner, corner found at property corners.



Attachment #  
Page 5 of 7

FCM (4x4)

N 0° 00' 27" W 428.50' (S)  
North 428.50' (D)

S 0° 00' 27" E 412.62'

83.07

Natural Area  
Easement # 1

N 46° 39' 20" E 671.28'(S)  
N 46° 39' 20" E 619.55'(D)

S 46° 39' 20" W 83.07' N.

All Roads  
& Landing  
are Dirt

New Cypress Landing Park  
Tax ID # 1623206010000  
OR 1950, Pg 226

**RECEIVED**

JAN 26 2004

Growth & Environmental Management  
INTAKE *Cek*  
8:55

Lake  
Miccosukee

FCM (4x4)

West 608.26' (D), 608.23' (S)

Bearing Base

NOTE: Did not find  
reference corner,  
corner found at  
property corners

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded grants, easements or other instruments which could affect the boundaries.

I hereby certify this survey to be a true and accurate representation of the property shown herein and was made under my direct supervision and control. This survey meets minimum technical standards as established by Chapter 61G12 of the Florida Administrative Code.

*Henry E. Harrell* Date 10/2/03  
*Henry E. Harrell* Signed  
 Not valid without the signature and the original seal of a Florida licensed surveyor and mapper.  
 Henry E. Harrell  
 Professional Surveyor and Mapper  
 Florida Certificate No.: 4154

**NOTES:**  
 ) Enroachments as shown if any.  
 ) All measurements are in U.S. Feet.  
 ) No underground foundations located.  
 ) No improvements located other than shown.  
 ) This Survey does not reflect or determine ownership.  
 ) THIS IS NOT A BOUNDARY SURVEY.

**LEGEND:**  
 R = RADIAL  
 Δ = CENTRAL ANGLE  
 T = TOWER  
 TH = TOWERSHIP 1 NORTH  
 RW = RANGE 1 WEST  
 O = BET IRON ROD & CAP 3/4 LB 45MM (BRC)  
 Δ = BET IRON AND CAP 16MM (BMC)  
 B = FOUND CONCRETE TERRA COTTA (FCM)  
 S = FOUND STONE (FS)  
 P = FOUND PINCHED PIPE (FPP)  
 Δ = FOUND IRON CAP (FIC)  
 PRM = PERMANENT REFERENCE MONUMENT  
 FCM = FOUND TERRA COTTA MONUMENT

DNF = DID NOT FIND  
 SF = SQUARE FEET  
 (P) = POINT  
 CI = DEED  
 SR = SURVEY DATA  
 CD = CALCULATED DATA  
 PR = RECORD DATA  
 # = NUMBER  
 F = CENTER LINE  
 P = LINE OF PAVEMENT  
 OPE = OVER HEAD ELECTRIC  
 OPG = OVERHEAD POWER  
 CDM = CONCRETE DRIVEWAY  
 CU = CHANNEL FENCE  
 WPF = WOOD PRIVACY FENCE  
 WVF = WELLING WIRE FENCE  
 SWF = BARBED WIRE FENCE

P.O.B = POINT OF BEGINNING  
 P.C. = POINT OF COMMENCEMENT  
 P.D. = POINT OF DIRECTION  
 P.R. = RECORD  
 G.R. = OFFICIAL RECORD  
 # = NUMBER  
 F = CENTER LINE  
 P = LINE OF PAVEMENT  
 OPE = OVER HEAD ELECTRIC  
 OPG = OVERHEAD POWER  
 CDM = CONCRETE DRIVEWAY  
 CU = CHANNEL FENCE  
 WPF = WOOD PRIVACY FENCE  
 WVF = WELLING WIRE FENCE  
 SWF = BARBED WIRE FENCE

Prepared For and  
entitled To: Leon County Recreation and Parks

Object Sketch of Description  
New Cypress Landing, Rococo Road  
Tallahassee, Leon County, Florida



**SPECTRA ENGINEERING & RESEARCH, INC.**  
**CIVIL • ENVIRONMENTAL • PLANNING • LAND SURVEYING**  
 345 S. Magnolia Drive, Suite E-25 • Tallahassee, Florida 32301 • (850) 656-9834  
 FAX (850) 642-2717

Drawn By: H.E.H.	Certificate of Authorization No. 5000	Field Date: 7/2003	Job No.: 02250E-1	Scale: 1" = 100'	Sheet No.: 1 OF 1
by Cheif: G.P.		Field Book _____ Page _____			

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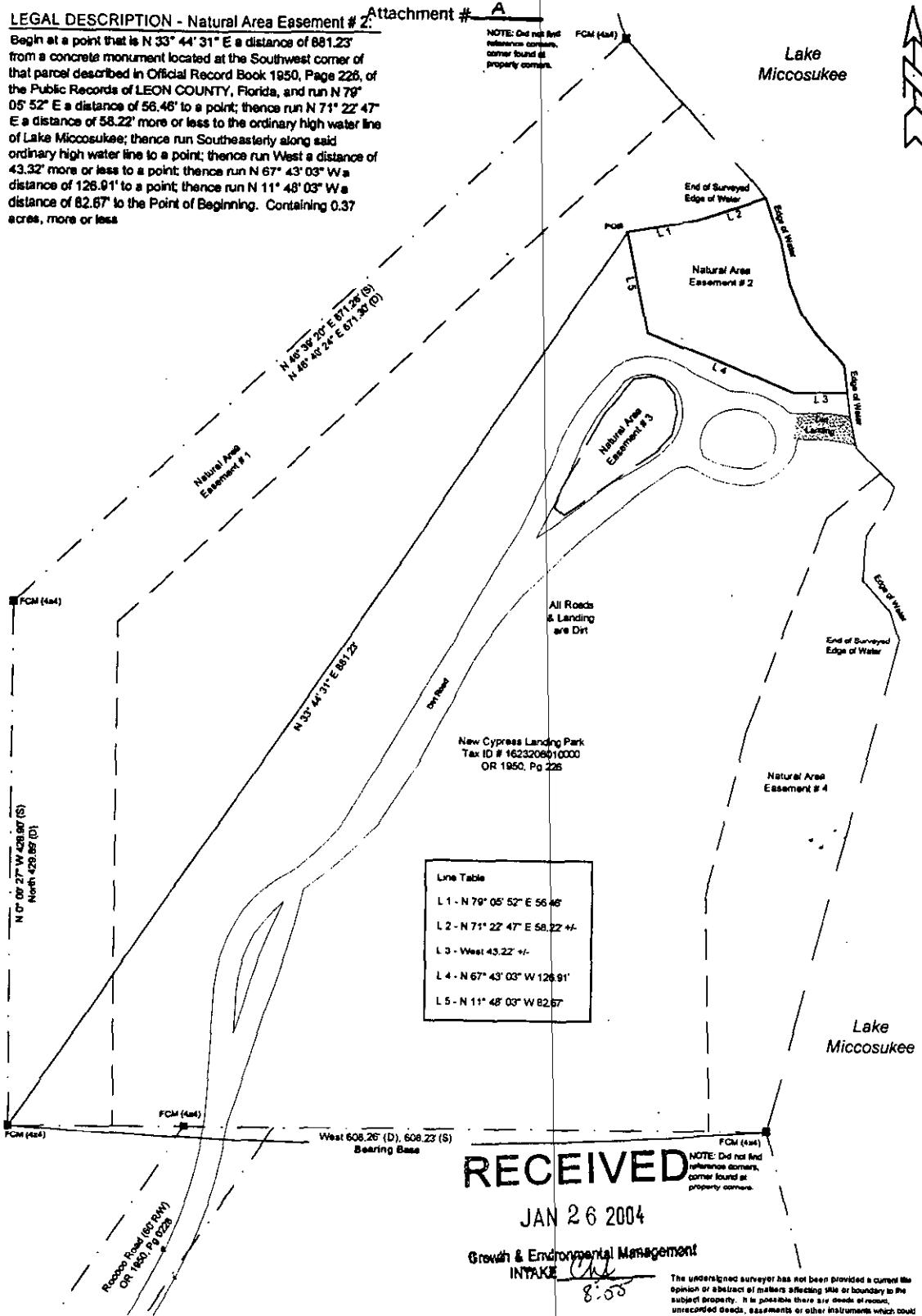
## LEGAL DESCRIPTION - Natural Area Easement # 2:

Attachment # A  
 Begin at a point that is N 33° 44' 31" E a distance of 881.23' from a concrete monument located at the Southwest corner of that parcel described in Official Record Book 1950, Page 228, of the Public Records of LEON COUNTY, Florida, and run N 79° 05' 52" E a distance of 56.46' to a point; thence run N 71° 22' 47" E a distance of 58.22' more or less to the ordinary high water line of Lake Miccosukee; thence run Southeasterly along said ordinary high water line to a point; thence run West a distance of 43.32' more or less to a point; thence run N 67° 43' 03" W a distance of 126.91' to a point; thence run N 11° 48' 03" W a distance of 82.67' to the Point of Beginning. Containing 0.37 acres, more or less.

NOTE: Did not find reference corner, corner found at property corner.

Lake  
Miccosukee

Attachment # 1  
 Page 6 of 7



NOTE: Did not find reference corner, corner found at property corner.

I hereby certify this survey to be a true and accurate representation of the property shown herein and was made under my direct supervision and control. This survey meets minimum technical standards as established by Chapter 61G17 of the Florida Administrative Code.

Henry E. Harrell  
Date signed 10/22/03  
Not valid without the signature and the original issued seal of a Florida licensed surveyor and mapper.

Henry E. Harrell  
Professional Surveyor and Mapper  
Florida Certificate No.: 4154

## LEGEND:

R = RADIUS  
 Δ = CENTRAL ANGLE  
 L = ARC LENGTH  
 TH = TOWER 1 NORTH  
 RW = RANGE 1 WEST  
 O = SET IRON ROD & CAP SET LB IRON (IRON)  
 △ = SET IRON ROD & CAP SET LB IRON (IRON)  
 B = FOUND CONCRETE MONUMENT (FCM)  
 B = FOUND IRON MONUMENT (IRON)  
 P = FOUND IRON ROD (IRON)  
 P = FOUND IRON ROD (IRON)  
 P = FOUND PINCHED PIPE (PIPE)  
 ▲ = FOUND NAIL AND CAP (NAIL)  
 PRM = PERMANENT REFERENCE MONUMENT  
 FTM = ROUND TERRA COTTA MONUMENT

DNF = DID NOT FIND  
 SF = SQUARE FEET  
 P = PLAT BOOK  
 P = PLAT  
 S = SURVEY DATA  
 C = CALCULATED DATA  
 R = RECORD DATA  
 FF = FARM FENCE  
 CONC = CONCRETE

P.O.B. = POINT OF BEGINNING  
 P.C.C. = POINT OF COMMENCEMENT  
 P.S. = PLAT BOOK  
 P = PLAT  
 C.R. = CENTRAL RECORD  
 S.N. = NUMBER  
 RAY = RIGHT-OF-WAY  
 T = TOWER  
 EP = EDGE OF PAVEMENT  
 CHE = OVER HEAD ELECTRIC  
 CON = CONCRETE SCREWPIAL  
 IRW = IRON WIRE FENCE  
 CUF = CHAINLINK FENCE  
 WPF = WOOD PRIVACY FENCE  
 BWF = BARBED WIRE FENCE

I hereby certify this survey to be a true and accurate representation of the property shown herein and was made under my direct supervision and control. This survey meets minimum technical standards as established by Chapter 61G17 of the Florida Administrative Code.

Henry E. Harrell  
Date signed 10/22/03  
Not valid without the signature and the original issued seal of a Florida licensed surveyor and mapper.

Henry E. Harrell  
Professional Surveyor and Mapper  
Florida Certificate No.: 4154

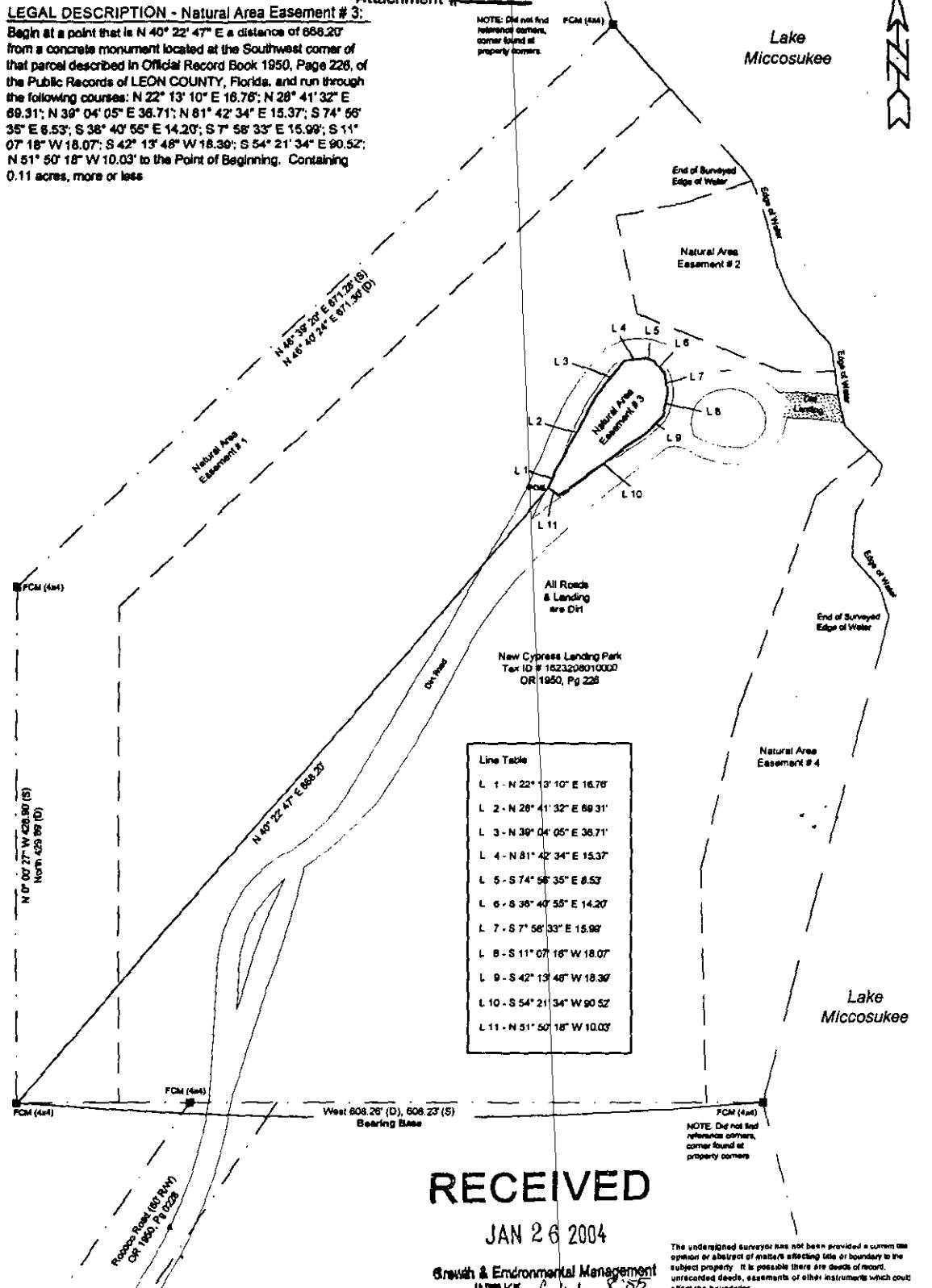
Notes:  
 1) Encroachments as shown if any.  
 2) All measurements are in U.S. Feet.  
 3) All underground foundations located.  
 4) No improvements located other than shown.  
 5) The Survey does not reflect or determine ownership.  
 6) THIS IS NOT A BOUNDARY SURVEY.

Prepared For and Submitted To: Leon County Recreation and Parks		SPECTRA ENGINEERING & RESEARCH, INC.					
Sketch of Description		CIVIL • ENVIRONMENTAL • PLANNING • LAND SURVEYING					
New Cypress Landing, Rocco Road Tallahassee, Leon County, Florida		345 S. Magnolia Drive, Suite E-25 • Tallahassee, Florida 32301 • (850)656-9834 FAX (850)942-2717					
Drawn By: H.E.H.	Certificate of Authorization No. 2898	Field Date: 1/03	Job No.: 02258E-2	Scale: 1" = 100'	Sheet No.:	1 OF 1	
Survey Chief: G.P.	Field Book _____	Page _____					

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**LEGAL DESCRIPTION - Natural Area Easement # 3:**

Begin at a point that is N 40° 22' 47" E a distance of 686.20' from a concrete monument located at the Southwest corner of that parcel described in Official Record Book 1950, Page 226, of the Public Records of LEON COUNTY, Florida, and run through the following courses: N 22° 13' 10" E 16.76'; N 20° 41' 32" E 68.31'; N 39° 04' 05" E 36.71'; N 81° 42' 34" E 15.37'; S 74° 56' 35" E 8.53'; S 38° 40' 55" E 14.20'; S 7° 58' 33" E 15.99'; S 11° 07' 18" W 18.07'; S 42° 13' 48" W 18.30'; S 54° 21' 34" E 90.52'; N 51° 50' 18" W 10.03' to the Point of Beginning. Containing 0.11 acres, more or less.



Attachment # 1  
Page 7 of 7

Spared For and Rented To: Leon County Recreation and Parks	SPECTRA ENGINEERING & RESEARCH, INC. CIVIL • ENVIRONMENTAL • PLANNING • LAND SURVEYING 345 S. Magnolia Drive, Suite E-25 • Tallahassee, Florida 32301 • (850) 656-9834 FAX (850) 942-2717					
Sketch of Description: New Cypress Landing, Rocco Road Tallahassee, Leon County, Florida						
By: H.E.H. by Client C.P.	Certificate of Authorization No. 3888	Field Date: <u>10/03</u> Field Truck <u>Page</u>	Job No.: 02256-E-3	Scale: 1" = 100'	Sheet No.: 1 OF 1	

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